



STATE OF MAINE
COMMISSION ON GOVERNMENTAL ETHICS
AND ELECTION PRACTICES
135 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0135

Agenda

Meeting of November 20, 2006

9:00 a.m., Commission Offices, 242 State Street, Augusta, Maine

NEW BUSINESS

1. Request for Waiver of Late Filing Penalty/Eagle Lake Democratic Cmte

Because it raised more than \$1,500 this year, the Eagle Lake Democratic Committee was required to file a campaign finance report on July 15, 2006 covering the first half of the year. The committee filed the report 101 days late on October 26. The committee requests a waiver of the preliminary \$500 penalty because it did not receive a notice of the filing deadline from the Commission or the state party. Under 21-A M.R.S.A. §1017-A(6), the Commission is not required to send notices to the local and county party committees, and the "state party committee shall notify all county, district and municipal party committees of the same political party of the party committee reporting requirements." *Staff recommendation: the staff recommends assessing the statutory penalty of \$500.*

2. Request for Waiver of Late Filing Penalty/South Portland Democratic Cmte

Because it raised more than \$1,500 this year, the South Portland Democratic Committee was required to file a campaign finance report on July 15, 2006 covering the first half of the year. The committee filed the report 102 days late on October 27. The committee requests a waiver of the preliminary \$500 penalty because it did not receive a notice of the filing deadline. Under 21-A M.R.S.A. §1017-A(6), the Commission is not required to send notices to the local and county party committees, and the "state party committee shall notify all county, district and municipal party committees of the same political party of the party committee reporting requirements." *Staff recommendation: the staff recommends assessing the statutory penalty of \$500.*

**3. Finding of Violation for Commingling Maine Clean Election Act Funds/
Hon. Joan Bryant-Deschenes**

Joan Bryant-Deschenes is an outgoing member of the Maine House of Representatives. Her 2006 campaign was selected at random for a routine audit. The only finding in the final audit report was that she had deposited her Maine Clean Election Act funds into her personal bank account. There were no inappropriate expenditures, but the Election Law prohibits candidates from commingling campaign funds with personal funds under 21-A M.R.S.A. §1016(1) and §1125(7). *Staff recommendation: in addition to being a legal*

requirement, the staff believes depositing MCEA funds in a separate bank account promotes accurate financial reporting and record-keeping. In order to encourage accountability of public funds spent, the staff recommends that the candidate be found in violation of 21-A M.R.S.A. §1016(1) and §1125(7) and no assessment of any monetary penalty.

4. Report of Audit Findings

The staff wishes to present a summary of the “no exception” audit reports for campaigns with full compliance to date. No action is required by the Commission.

5. Proposed Statutory Changes

The staff wishes to discuss with the Commission the first of two rounds of proposed statutory changes which the Commission may wish to propose to the Legislature. Other proposed changes will be ready for the December 12 meeting.

Other

Miscellaneous as needed.

EXECUTIVE SESSION

If necessary

ADJOURNMENT